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## STATEMENT UNDER 37 CFR 3.73(b)

1735.0770001/RWE/CJW

Applicant/Patent Owner: Sui Xiong Cai, Songchun Jiang, William E. Kemnitz, Hong Zhang, Giorgio Attardo and Real Denis  
U.S. National Phase ofApplication No./Patent No.: PCT/US03/15427 Filed/Issue Date: \_\_\_\_\_ Int'l Filing Date: May 16, 2003Entitled: Substituted 4-Aryl-4H-pyrrolo[2,3-h]chromenes and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use ThereofCytovia, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013795, Frame 0565, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X Ben Y TsengX Nov 02, 2004  
DateX Ben Y. Tseng, Ph.D.X 858-202-4004XX  
Telephone NumberXX  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## POWER OF ATTORNEY FROM ASSIGNEE

Cytovia, Inc., a corporation of Delaware, having a principal place of business at 6650 Nancy Ridge Drive, San Diego, California 92121, is assignee of Sui Xiong Cai's, Songchun Jiang's, William E. Kemnitzer's and Hong Zhang's entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on January 21, 2003 of an invention known as **Substituted 4-Aryl-4H-pyrrolo[2,3-*h*]chromenes and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof** (Attorney Docket No. 1735.0770001/RWE/CJW), that is disclosed and claimed in a patent application of the same title by the inventors Sui Xiong Cai, Songchun Jiang, William E. Kemnitzer, Hong Zhang, Giorgio Attardo and Réal Denis (said application filed (International Filing Date: May 16, 2003) at the U.S. Patent and Trademark Office, having Application Number \_\_\_\_\_ (U.S. National Phase of PCT/US03/15427) ).

For the purpose of PAIR, the Customer Number is 26111.

The Assignee hereby appoints the U.S. attorneys associated with **CUSTOMER NUMBER 28393** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith. The Assignee hereby grants said attorneys associated with Customer Number 28393 the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

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U.S.A.

Direct phone calls to 202-371-2600.

FOR: Cytovia, Inc.  
SIGNATURE: X Ben Y Tseng  
BY: X Ben Y. Tseng  
TITLE: X Vice President, Biology  
DATE: X Nov 11, 2004

# Declaration for Patent Application

Docket Number: 1735.0770001/RWE/CJW

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **Substituted 4-Aryl-4H-pyrrolo[2,3-h]chromenes and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on May 16, 2003;  
as United States Application Number or PCT International Application Number PCT/US03/15427 and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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Prior Foreign Applications(s):

Priority Claimed

\_\_\_\_\_  
(Application No.) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

\_\_\_\_\_  
(Application No.) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00

Full name of first Inventor:	<u>Sui Xiong Cai</u>
Signature of first Inventor: X	<u>[Signature]</u> X Date: X
Residence:	<u>San Diego, California</u> CA
Citizenship:	United States of America
Mailing Address:	3623 Berryfield Court San Diego, California, 92130

2-00

Full name of second Inventor:	<u>Songchun Jiang</u>
Signature of second Inventor: X	<u>[Signature]</u> X Date: X
Residence:	<u>San Diego, California</u> CA
Citizenship:	United States of America
Mailing Address:	10512 Rancho Carmel Drive San Diego, California 92128

3-00

Full name of third Inventor:	<u>William E. Kemnitzer</u>
Signature of third Inventor: X	<u>[Signature]</u> X Date: <u>11-4-04</u>
Residence:	<u>San Diego, California</u> CA
Citizenship:	United States of America
Mailing Address:	2838 Bay Canyon Court San Diego, California, 92117

400

Full name of fourth Inventor:	<u>Hong Zhang</u>
Signature of fourth Inventor:	<u>X</u> <u>3288</u> <u>X</u> <u>11/03/04</u> Date:
Residence:	<u>San Diego</u> , California <u>CA</u>
Citizenship:	China
Mailing Address:	5139 Clairemont Mesa Boulevard, Apartment 110 San Diego, California, 92117

500

Full name of fifth Inventor:	<u>Giorgio Attardo</u>
Signature of fifth Inventor:	<u>X</u> <u>X</u> <u>Date:</u>
Residence:	<u>Laval</u> , <u>Québec</u> , Canada <u>CAX</u>
Citizenship:	Canada
Mailing Address:	2740 Prudential Laval, Québec, Canada, H7K 3M1

600

Full name of sixth Inventor:	<u>Réal Denis</u>
Signature of sixth Inventor:	<u>X</u> <u>X</u> <u>Date:</u>
Residence:	<u>Montreal</u> , <u>Québec</u> , Canada <u>CAX</u>
Citizenship:	Canada
Mailing Address:	12670 52e Avenue Montreal, Québec, Canada, H1E 2H5

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Prior Foreign Applications(s):

Priority Claimed

\_\_\_\_\_  
(Application No.)                      (Country)                      (Day/Month/Year Filed)

☐ Yes    ☐ No

\_\_\_\_\_  
(Application No.)                      (Country)                      (Day/Month/Year Filed)

☐ Yes    ☐ No



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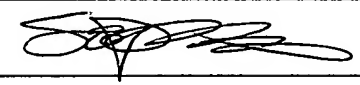
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

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Signature of first Inventor: 	Date: 
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	3623 Berryfield Court San Diego, California, 92130

Full name of second Inventor:	Songchun Jiang
Signature of second Inventor: 	Date: 11/8/04
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	10512 Rancho Carmel Drive San Diego, California 92128

Full name of third Inventor:	William E. Kemnitzer
Signature of third Inventor: 	Date: 
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	2838 Bay Canyon Court San Diego, California, 92117

Full name of fourth Inventor:	Hong Zhang
Signature of fourth Inventor: X	X Date:
Residence:	San Diego, California
Citizenship:	China
Mailing Address:	5139 Clairemont Mesa Boulevard, Apartment 110 San Diego, California, 92117

Full name of fifth Inventor:	Giorgio Attardo
Signature of fifth Inventor: X	X Date:
Residence:	Laval, Québec, Canada
Citizenship:	Canada
Mailing Address:	2740 Prudential Laval, Québec, Canada, H7K 3M1

Full name of sixth Inventor:	Réal Denis
Signature of sixth Inventor: X	X Date:
Residence:	Montreal, Québec, Canada
Citizenship:	Canada
Mailing Address:	12670 52e Avenue Montreal, Québec, Canada, H1E 2H5



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☐ Yes    ☐ No



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

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

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

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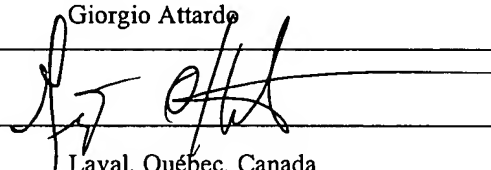

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

Full name of first Inventor:	Sui Xiong Cai
Signature of first Inventor: 	 Date:
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Signature of second Inventor: 	 Date:
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	10512 Rancho Carmel Drive San Diego, California 92128

Full name of third Inventor:	William E. Kemnitzner
Signature of third Inventor: 	 Date:
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	2838 Bay Canyon Court San Diego, California, 92117

Full name of fourth Inventor:	Hong Zhang
Signature of fourth Inventor:	 Date: 
Residence:	San Diego, California
Citizenship:	China
Mailing Address:	5139 Clairemont Mesa Boulevard, Apartment 110 San Diego, California, 92117

Full name of fifth Inventor:	Giorgio Attardo
Signature of fifth Inventor:	 Date:  Nov. 15, 2004
Residence:	Laval, Québec, Canada
Citizenship:	Canada
Mailing Address:	2740 Prudential Laval, Québec, Canada, H7K 3M1

Full name of sixth Inventor:	Réal Denis
Signature of sixth Inventor:	 Date: 
Residence:	Montreal, Québec, Canada
Citizenship:	Canada
Mailing Address:	12670 52e Avenue Montreal, Québec, Canada, H1E 2H5

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(Day/Month/Year Filed)

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

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

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Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	10512 Rancho Carmel Drive San Diego, California 92128

Full name of third Inventor:	William E. Kemnitzer
Signature of third Inventor: 	 Date:
Residence:	San Diego, California
Citizenship:	United States of America
Mailing Address:	2838 Bay Canyon Court San Diego, California, 92117

Full name of fourth Inventor:	Hong Zhang
Signature of fourth Inventor: X	Date: X
Residence:	San Diego, California
Citizenship:	China
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Signature of fifth Inventor: X	Date: X
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Mailing Address:	2740 Prudential Laval, Québec, Canada, H7K 3M1

Full name of sixth Inventor:	Réal Denis
Signature of sixth Inventor: X <i>RD</i>	Date: <i>Nov 4<sup>th</sup>, 2004</i>
Residence:	Montreal, Québec, Canada
Citizenship:	Canada
Mailing Address:	12670 52e Avenue Montreal, Québec, Canada, H1E 2H5